**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

FILED

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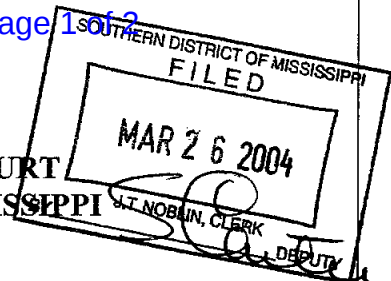
POINDEXTER YOUNG, et al.   **PLAINTIFFS**

v.   **CIVIL ACTION NO.** 1:04cv146GuRo

                                                                        1:04cv394 GRo

**LEFLEUR TRANSPORTATION
OF TUPELO, INC., et al.**   **DEFENDANTS**

<u>**ORDER**</u>

Pursuant to the status conference held on January 29, 2004, this Court has determined that although the procedure for providing notice to defendants' current and former employees and establishing a procedure for joining this action was proper and worked satisfactorily, and that the parties who joined this action appear to be similarly situated, it is now apparent that these cases should be severed and treated as individual cases.

The Court finds that the predominant relief sought in these cases is monetary relief, not injunctive or declaratory relief. Further, defendants have largely instituted new procedures to eliminate many problems and avoid future litigation. There are numerous factors which are peculiar to each individual plaintiff. Each case should be dealt with on an individual basis because each case concerns that plaintiff's separate allegations. The Court finds there is good cause to sever from the pending matter each plaintiff's case.

Accordingly, the Court directs that the United States District Clerk sever the plaintiffs from the pending matter and assign separate civil action numbers for each plaintiff. These cases should be tried separately although the Court reserves the right to hereafter consolidate some cases for trial as it deems appropriate.

Further, pursuant to the consent to trial and referral to the United States Magistrate Judge filed in this case, all cases severed from this action and given separate civil action numbers should continue to be referred to United States Magistrate Judge John M. Roper for all further proceedings and the entry of judgment in accordance with 28 U.S.C. 636©, Fed.R.Civ.P. 73.

SO ORDERED, this the 24th day of March, 2004.

_____
CHIEF UNITED STATES MAGISTRATE JUDGE